



SUMNER COUNTY REGIONAL PLANNING COMMISSION  
MINUTES

May 23, 2023

REGULAR MEETING 5:00 PM

**STUDY SESSION 4:00 PM**

SUMNER COUNTY ADMINISTRATION BUILDING  
BETHEL BROWN COMMISSION CHAMBERS  
355 N. BELVEDERE DRIVE GALLATIN, TN 37066

**MEMBERS PRESENT:**

**LUTHER BRATTON, CHAIRMAN**  
**DAVID KLEIN, VICE CHAIRMAN**  
**CHRISSI SMITH MILLER**  
**JEFF DUNCAN**  
**JIM WILLIAMS**

**STAFF PRESENT:**

**JOSH SUDDATH, DIRECTOR OF DEVELOPMENT SERVICES**  
**KATHY YOUNG, STAFF PLANNER (Minute taker)**  
**MARSHALL BOYD, COUNTY ENGINEER**  
**ERIC SITLER, COUNTY ATTORNEY**  
**STEVE WEINER, STAFF ATTORNEY**

Mr. Bratton called the meeting to order and stated that with all five members present, there is a quorum.

Mr. Bratton called for approval of the April 2023 Meeting Minutes.

**Mrs. Miller made a motion to approve the April 2023 Minutes.**

**Mr. Klein seconded the motion.**

**The motion was approved unanimously.**

After confirming that there were no changes to the Agenda, Mr. Bratton asked for approval of the May Agenda.

**Mr. Klein made a motion to approve the May 2023 Agenda.**

**Mr. Williams seconded the motion.**

**The motion was approved unanimously.**

**PUBLIC COMMENT (FOR ITEMS ON THE AGENDA NOT REQUIRING A PUBLIC HEARING)**

There being no one signed up for Public Comments, Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

### **REGULAR AGENDA**

- 1. SOMERSET DOWNS, PHASE 7, LOT 106 – PUD MAJOR PLAN AMENDMENT – Shular Tennessee Holdings, represented by GreenLID – 24th Commission Voting District (Chrissi S. Miller) – Applicant is seeking a Major Plan Amendment of an existing PUD, for the purpose of creating 5 buildable lots. Subject property is located at 1010 Luxborough Drive, is Tax Map 123J, Group E, Parcel 037.00, contains 3.92 acres and is zoned Planned Unit Development (PUD).  
Adjoining property owners were notified by certified mail and the agenda item was advertised in The Gallatin News and Hendersonville Standard on Thursday, May 18, 2023. THIS IS A PUBLIC HEARING.**

Mr. Suddath provided an overview of the property, stating that the requested amendment to the existing PUD would divide a 3.92-acre home site into five (5) building lots. Mr. Suddath explained that the property is currently a low density PUD.

Mr. Suddath then displayed an aerial photo of the property, showing it surrounded by lots contained in Somerset Downs. Mr. Suddath stated that one of those adjoining lots contains the residence of the developer. Mr. Suddath explained that the developer plans to add a portion of this property to his lot.

Next, Mr. Suddath provided a brief history of the property, stating that Somerset Downs Planned Unit Development was originally approved in October 2006, with Phases 5 and 6 being approved in March 2014. Mr. Suddath stated that the Planning Commission approved a rezoning and PUD amendment for Phase 7 in November 2017, followed County Commission approval in December 2017.

Mr. Suddath explained that over the course of previous approvals, one 3.6-acre lot was set aside as a future “Estate” type lot, intended for the developer’s relative to build a house. Plans have since changed, and lot has been made for sale. Mr. Suddath explained that the applicant is seeking approval to amend the plan to allow this lot to be subdivided.

Mr. Suddath then displayed the Public Notice printed in the newspaper, the required Neighborhood Meeting Letter and Summary with a photo from that meeting held on April 19, 223. Mr. Suddath also displayed a photo of the Rezoning sign posted on the property.

At this point, Mr. Suddath displayed the Somerset Downs PUD, Phases 4-7 current configuration and the proposed reconfiguration of Lot 106. Mr. Suddath also displayed the proposed Site

Layout, Building Layout and representative architecture. Mr. Suddath stated that the setbacks would match the current setbacks for Somerset Downs lots.

At this time, Mr. Suddath explained that if the PUD Amendment were approved by the County Commission, the applicant would need to return to the Planning Commission with a Preliminary Plat application in order to legally create the new lots. At that time, stated Mr. Suddath, a full set of Construction and Drainage Plans/Calculations will be required. Mr. Suddath stated that the Preliminary Plat must ensure that the detention basin across the street is adequate and that there will be no offsite impacts. Mr. Suddath added that a Surety would need to be posted to ensure that the new roadway is not damaged, and that streetlights, sidewalk etc. are installed to the County's satisfaction.

Mr. Suddath explained the next general steps and concluded his presentation with example motions before turning the meeting over to Mr. Bratton.

Mr. Bratton opened the Public Hearing.

There being no one wishing to speak, Mr. Bratton closed the Public Hearing.

Zach Wilkinson, GreenLID, stated that this is a unique situation, and assured the Planning Commission that, as the developer lives on an adjacent lot, he desires to create a nice development.

**Mrs. Miller made a motion to provide a positive recommendation to the Sumner County Commission related to a requested Major Planned Unit Development Amendment for Somerset Downs, Phase 7, Lot 106.**

**Mr. Klein seconded the motion.**

**The motion was approved unanimously.**

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

**2. HUNTINGTON - SKETCH PLAT (Major) – Estate of Helen Porter c/o Dennis Powers - Represented by Civil Land Group – 10th Commission Voting District (Ben Harris) –** Applicant is requesting Sketch Plat approval for a 19-lot residential subdivision located on **2185 Cages Bend Road, Gallatin, TN, 37066**. Subject property is on Tax Map 146, Parcel 089.06, contains 17.61 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property, stating that this development is seeking to utilize the half-acre lot size, as the property has access to public sewer. Mr. Suddath stated that 27% of the overall site (4.75 acres) is proposed to be Open Space.

Mr. Suddath stated that the property is located within the Gallatin Urban Growth Boundary and

has water and sewer provided by WHUD.

Mr. Suddath explained that this request is for Sketch Plat approval, which does not convey vested property rights per County and State regulations. Mr. Suddath then displayed an aerial photo of the property and pointed out the existing house, noting that it will be removed. Mr. Suddath stated that an internal road is proposed in the location of the existing driveway, which runs between two ponds.

Next, Mr. Suddath explained that Cages Bend Road marks the boundary between the Gallatin Urban Growth Boundary and the Hendersonville Urban Growth Boundary. Mr. Suddath displayed the Sketch Plat, noting that there is a misalignment with the proposed interior road and an existing neighborhood road across the street from the subject property. Mr. Suddath displayed a street view photo of the property.

Mr. Suddath stated that the property is located in the Suburban Placetype of the County Comprehensive Plan. Mr. Suddath then highlighted the following information regarding the Sketch Plat:

- Proposed lot widths/sizes appear to meet requirements established by the County Zoning Resolution for lots with access to public water and sewer (1/2 acre)
- Open space appears to be depicted upon the plat totaling approximately 27% of the site.
  - Note: An HOA will be required for this development in order to maintain all Stormwater infrastructure
- Drainage: This development will need to submit Construction Plans and Drainage calculations with submittal of a Preliminary Plat.
  - A Notice of Coverage from TDEC will be required
  - Stream/wetland determination required by TDEC
- Roads:
  - Development will entail construction of one public roadway. Must be constructed to all applicable County standards.
  - Issue related to road going between two ponds
  - New road as proposed will not align with Gason Street across Cages Bend Road, creating a conflict.
  - Cages Bend Road is a County Road at this location, classified as an Urban Minor Collector Roadway per the County's Major Thoroughfare Plan
  - A traffic impact study is not strictly required due to the project's size; however one can be required given alignment issues and given developed nature of the vicinity and existing traffic volumes.

Mr. Suddath stated that the proposed construction of a public roadway, between ponds is unusual.

Mr. Suddath stated that Cages Bend Road is classified as an Urban Minor Collector Roadway per the County Major Thoroughfare Plan.

Mr. Suddath stated concern that there is a turning conflict caused by the misalignment of the proposed road and the existing Gason Street located across Caged Bend Road. Mr Suddath explained that while a Traffic Impact Study is not strictly required based on proposed traffic volumes, it might be requested, given the possible turning conflict.



Mr. Suddath then addressed Utilities and Fire Protection, stating that water and sewer are to be provided by White House Utilities. Mr. Suddath stated that multiple fire hydrants will be necessary for this development, and added that fire protection will be provided by the relevant volunteer fire department.

At this point, Mr. Suddath explained the next general steps and concluded his presentation with example motions before turning the meeting over to Mr. Bratton.

Mr. Bratton asked the applicant's representative to come forward.

Marty Cook, attorney, stated his attendance on behalf of Cal Gentry. Mr. Cook stated that they are in agreement with all staff comments and are willing to work with Mr. Boyd and Engineering on the roadway alignment and determining environmental impact on the ponds. Mr. Cook stated willingness to do what is best and what is required for the property.

Mr. Duncan referenced proposed Resolution 2023-01, related to variable lot sizes, which has been forwarded to the County Commission for approval in June. Mr. Duncan asked how this Sketch Plat, which does not vest a property right, will be affected, if the resolution is passed.

Mr. Suddath stated that this gets into legal territory. Mr. Suddath explained that state law dictates that a property vests with approval of a Preliminary development plan. Mr. Suddath further explained that the Sketch Plat approval does not convey any rights.

Mr. Duncan stated that he likes this development, adding that it matches the surrounding area. Mr. Duncan stated that he feels that if the Sketch Plat is approved, the County Commission should consider granting an exception for this development, as they submitted the Sketch prior to the County Commission voting on the Resolution.

Mr. Bratton stated that at the April meeting, he had asked if there were any plats in the pipeline for approval that might be affected by proposed zoning changes. Mr. Bratton stated that we do not know what the County Commission is going to do. Mr. Bratton stated that he was not sure if our justification and our decision on this item should hinge on what might happen at the next level, which is the County Commission. Mr. Bratton asked legal counsel if he could potentially speak to that question.

Mr. Sitler stated that he is not a proponent of making exceptions to rules. Mr. Sitler stated his understanding that this property vests at the Preliminary phase. Mr. Sitler stated his perception that decisions must be made under the current rules.

Mr. Bratton asked if it were appropriate for this body to make a decision based on what another body may determine at a future meeting.

Mr. Sitler stated that this is not a Preliminary Plat until the Preliminary Plat is submitted.

Mr. Suddath stated that the Planning Commission should consider this plat with the current rules in place now.

Mr. Bratton concurred.

Mrs. Miller made a motion to defer this item.

Mr. Klein seconded the motion

Mr. Bratton expressed concern with a deferral with the pending rule changes.

Mr. Sitler stated that a deferral should be based on the rules in place today, and not on anticipated changes.

Mr. Klein supported the deferral, referencing the property contours noted on the Sketch Plat and asked if the property drains to the entrance of the property.

Mr. Suddath stated that the property appears to drain toward the existing ponds at the front of the property, with a crest toward the back of the property.

Mr. Klein stated a concern of subterranean strength and compaction of the earth.

Mr. Suddath stated that this might be a question for the developer's engineer.

Mr. Klein also stated concern with the misalignment of the current and proposed road. Mr. Klein stated there may be a need for a 4-way stop or signal, and added that a Traffic Study may be justified. Mr. Klein stated that with those concerns, this might be a case of putting the cart before the horse.

Mr. Bratton stated that the justification for denying a Sketch Plat should be consistent with the previous justifications that have been historically used. Mr. Bratton explained that such stated concerns are typically dealt with at the Preliminary Plat stage with required engineering and traffic studies.

Mr. Suddath referenced a recently denied Sketch Plat, Haile Farms.

Mr. Duncan stated that that Sketch Plat was denied because it had only one ingress/egress, as well as geological concerns.

Mr. Bratton stated that he understood the concerns, adding that this body has approved many Sketch Plats with many noted issues, with the understanding that those concerns would be addressed at the Preliminary phase. Mr. Bratton stated that a Sketch Plat is an idea.

Mrs. Miller stated concerns with the road misalignment and drainage issues.

A vote was taken. The motion to defer failed, with the following votes recorded:

Mrs. Miller – Aye

Mr. Klein – Aye

Mr. Duncan – Nay

Mr Williams – Nay  
Mr. Bratton – Nay

There was discussion regarding the addition of a condition, which would require the alignment of the roads.

**Mr. Duncan made a motion to approve a Sketch Plat for Huntington, subject to the following conditions:**

- a) Requirements contained in the Sumner County Subdivision Regulations, County Zoning Resolution and County Stormwater Management Resolution shall be met for all future plat submittals;**
- b) An HOA shall be required to maintain all open space, sidewalks etc**
- c) Applicant shall submit a traffic impact study and geotechnical report with Preliminary Plat and Construction Plans**
- d) Applicant shall realign roadway so that the subdivision entrance aligns with Gaston Street.**

**Mr. Williams seconded the motion.**

**The motion was approved by a vote of 3:2 with the following votes recorded:**

**Mrs. Miller – Nay**  
**Mr. Klein – Nay**  
**Mr. Duncan – Aye**  
**Mr Williams – Aye**  
**Mr. Bratton – Aye.**

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

**3. ROLLING ROARK ESTATES - SKETCH PLAT (Major) – James and Teresa Roark - Represented by Richard Graves – 5th Commission Voting District (Darrell Rogers) –** Applicant is requesting Sketch Plat approval for a 7-lot residential subdivision located on **Butler Bridge Road, Portland, TN, 37148.** Subject property is on Tax Map 032, P/O Parcel 064.04, contains 9.85 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property, stating that water service will be provided by WHUD. Mr. Suddath stated that the Sketch Plat provides the Planning Commission with information and an opportunity for input, adding that no vested property rights are conveyed with Sketch Plat approval.

Next, Mr. Suddath displayed an aerial photo of the property and the submitted Sketch Plat. Mr. Suddath stated that the entire property contains 117.5 acres; with 9.85 acres being sought to subdivide into the proposed 7-lot plat.

Mr. Suddath highlighted the following information regarding the Sketch Plat:

- Utilities and Fire Protection:
  - At least one fire hydrant is will be required for this development
  - White House Utilities indicates that fire hydrants cannot be provided at this location.



- County's Subdivision Regulations allow for the dedication of an equivalent amount to the relevant volunteer fire department if hydrants cannot be installed.
- Roads: Project fronts along Butler Bridge Road, which is a Collector Roadway requiring 150 foot lot widths.
- Drainage: A set of construction plans will be required at the Preliminary Plat stage.
  - A Notice of Coverage from TDEC will be required for this project.

Mr. Suddath then stated that this property is located within the Rural Placetype of the County Comprehensive Plan. Mr. Suddath explained the next general steps and completed his presentation with example motions, then turned the meeting over to Mr. Bratton.

Mr. Bratton asked if there were any questions.

**Mr. Duncan made a motion to approve a Sketch Plat for Rolling Roark Estates, with the following conditions:**

- a) Applicant shall submit Construction Plans depicting all drainage improvements, as well as drainage calculations and Erosion Prevention and Sediment Control plans concurrent with submittal of a Preliminary Plat for this development, in accordance with the County's Subdivision Regulations.**

**Mr. Williams seconded the motion.**

**The motion was approved by a vote of 3:2 with the following votes recorded:**

**Mr. Klein – Nay**

**Mrs. Miller – Nay**

**Mr. Williams – Aye**

**Mr. Duncan – Aye**

**Mr. Bratton - Aye**

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

**4. WEST ESTATES SECTION II (formerly Anita Eade Estates) - PRELIMINARY PLAT – Anita Eade - Represented by Richard Graves – 2nd Commission Voting District (Terry Wright)**

– Applicant is requesting Preliminary Plat approval for a 13-lot residential subdivision located at **Hwy. 259 and Fleming Road, Portland, TN, 37148.**

Subject property is on Tax Map 013, Parcel 024.01, contains 19.02 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property, stating that the 11 proposed lots range in size from 1.00 to 3.59 acres, with three additional tracts ranging from 9.2 acres to 11.09 acres. Mr. Suddath displayed an aerial photo of the property.

Next, Mr. Suddath displayed the Minor Plat, West Estates Subdivision, which was recorded on 12/13/2021. Mr. Suddath explained that the 2-lot Minor Plat is essentially considered Phase 1 of this subdivision. Mr. Suddath then displayed an overall Sketch Plat, entitled Anita Eades Estates, which was approved in November 2022.

Displaying the Preliminary Plat, Mr. Suddath highlighted the following:

- Utilities and Fire Protection: One hydrant depicted upon the Sketch Plat.



- 4 inch water line located along Hwy 259.
- Portland Utilities will require line to be upsized to 6 inch; 1,500 feet of line improvements required
- Roads: Adequate ROW will need to be dedicated along all roadways
  - Highway Department will need to be consulted to determine if widening of Fleming Road is required. SR-259 is adequate.
- Proposed lot widths appear to meet requirements.
- Drainage: Erosion Prevention and Sediment Control Plan along with Drainage Calculations submitted with Preliminary Plat.
  - A Notice of Coverage from TDEC will be required.

Mr. Suddath then displayed the EPSC Plans, the Outfall Map and Drainage Calculations, noting that the flows have been decreased in all outfalls for all storm events.

Mr. Suddath explained the next steps and concluded his presentation with example motions before turning the meeting over to Mr. Bratton.

Mr. Bratton asked if there were any questions.

Mr. Klein asked where this property is located within the County Comprehensive Plan.

Mr. Suddath stated that the property is located within the Rural Placetype within County Comprehensive Plan.

Mr. Klein asked what the overall density is for the Rural Placetype.

Mr. Suddath stated that the overall density recommendation is one (1) unit per 5 acres.

Mr. Klein stated that this appears to be what the surrounding properties reflect. Mr. Klein then asked why the county has rules if they do not adhere to them.

Mr. Suddath stated that there is a misalignment that has existed since the Comprehensive Plan was adopted in 2010; a misalignment between what the Comprehensive Plan says and what the Zoning Resolution says. Mr. Suddath further explained that while the Comprehensive Plan recommends that the Rural Placetype be very low density of one dwelling unit per five acres, the County has never amended the Zoning Resolution to reflect that. Mr. Suddath stated that the Zoning Regulations state that there can be .92-acre lots.

Mr. Suddath stated that it is his understanding that the Zoning Resolution prevails over the County Comprehensive Plan. Mr. Suddath stated that if the County Commission wishes to make the required changes to allow only 5-acre lots in the Rural Placetype, then that could be done.

Mr. Graves stated that the discussions during the adoption of the 2010 Comp Plan addressed farms like this, explaining that they are considered to meet the intent of the Comprehensive Plan, as the density that would be allowed within the overall mass of this farm is less than one dwelling unit per five acres.

Mr. Klein stated a desire to understand. Mr. Klein referenced the easement that runs to the back portion of the farmland, and asked for confirmation that there will be no further development of this property.

Mr. Graves referenced the EPSC and stated that with the topography, he feels this subdivision meets the spirit of the Comprehensive Plan.

Mr. Klein stated surprise that the neighbors have not expressed concerns.

Mr. Graves stated that there are some small lots located to the west and north of this property.

Mr. Bratton asked for status of this item.

Ms. Young stated that no motion has been made.

Mr. Duncan made a motion to approve a Preliminary Plat for West Estates, Section 2, with the following conditions:

- a) Applicant shall obtain stamped approval from County Engineer for Construction Plans prior to issuance of a Land Disturbance Permit.
- b) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot to the County upon submittal of a Final Plat.

Mr. Bratton asked for a second.

Mrs. Miller stated concern that the Planning Commission does not follow Robert's Rules of Order. Mrs. Miller stated her understanding that the chairman is not entitled to have an opinion regarding a motion, but can vote in a tie.

Mr. Sitler stated that the chairman cannot make a motion. Mr. Sitler stated that the chairman can call for a motion, but may not call for approval of a motion.

Mr. Weiner explained that there has been no action on the motion, so the motion dies for lack of a second.

Mr. Bratton explained that he has not moved on, as he was awaiting the answer to the question that Mrs. Miller asked of the County attorney.

Mr. Bratton asked if there is another motion.

Mr. Bratton then asked for a legal opinion, asking which law should be adhered to. Mr. Bratton stated that in his experience, precedent rules if something has been done for 15 years. Mr. Bratton stated that the rule might need to be changed by the governing body before lengthy discussions are ensued and items are denied which would have previously been approved. Mr. Bratton expressed appreciation to Mrs. Miller for bringing this to the Commission's attention.

Mrs. Miller stated a desire for correct procedures.

Mr. Suddath stated that the current bylaws state that in the event of a tie vote, a new motion may be made and voted on. If the vote remains tied, it will be assumed that the motion did not receive the approval requested and will therefore be considered a denial.

There was discussion that this is not a tie vote, as a second has not been made to the motion.

Mr. Sitler stated that if the motion does not receive a second, the motion dies.

Mr. Sitler then added that if procedural changes are desired, this is a good time to get such changes in the bylaws, for clarity purposes.

Mr. Bratton agreed. Stating that the motion has died for lack of a second, Mr. Bratton asked if it is required, that action be taken by the next regular meeting.

Mr. Sitler stated that if a motion dies for lack of a second, the item is customarily deferred.

Mr. Bratton asked for consequences to no action by the Commission.

Mr. Suddath explained that State Law states that if the Planning Commission takes no action on a request, the item is automatically approved within 60 days of receipt of the application.

Mrs. Miller asked if a deferral is an option.

Mr. Suddath stated yes, adding that a deferral is always an option.

Mr. Klein made a motion to defer.

Mrs. Miller seconded the motion.

Mr. Bratton asked for a reason for the deferral to be stated.

Mr. Klein stated confusion as to what document to adhere to in making this determination. Should the body follow the 1-acre rule of the 5-acre rule? Should they follow the County Zoning Resolution or the County Comprehensive Plan? Mr. Klein stated a desire for more research and guidance, adding that he does not want to hurt anybody.

Mr. Suddath stated that the deferral could be for staff to do more research.

**Mr. Klein restated the motion to defer a Preliminary Plat for West Estates Section 2, for one month in order to obtain additional information related to the Plat's compliance with the County's Comprehensive Plan.**

**A vote was taken and the motion was approved unanimously.**

Mr. Duncan stated an assumption that the Zoning Code would overrule the Comprehensive Plan. Stating an understanding that there needs to be a cleanup of wording and documents. Mr. Duncan stated that there is a hierarchy of those documents, noting that a Comprehensive Plan is what is used to develop the Zoning Code.

Mr. Suddath stated that the issue that the Planning Commission is grappling with is that the Zoning Resolution and the County Comprehensive Plan have both been adopted by the County Commission.

Mr. Suddath stated that discussion over Comprehensive Plans has come up at County Planner's Meetings. Noting that the Planning Commission can only make recommendations with regard to comprehensive planning and zoning, while the County Commission makes the law, Mr. Suddath explained that the Planning Commission is required to do what the County Commission says and what the Zoning Resolution says.

Mr. Suddath stated that he would research and meet with the Law Office to work on resolving this conflict before the next meeting.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

**5. LAUREL PARK PUD, PHASE 2 – FINAL PLAT – Phillips Builders, LLC - Represented by CSDG – 14<sup>th</sup> Commission Voting District (Jamie Teachenor) –**  
Applicant is requesting Final Plat approval for a 30-lot residential subdivision located on **Long Hollow Pike. Hendersonville, TN, 37075**. Subject property is Tax Map 122, P/O Parcel 066.01, contains 14.64 acres, and is zoned Planned Unit Development (PUD).

Mr. Suddath began his presentation with a brief history of the property. Mr. Suddath stated that this development was originally submitted as the Westbrook Development but was renamed when rezoned to PUD on August 28, 2017 with the Final Master Plan receiving approval in December 19, 2017. Mr. Suddath explained that the Master Plan approval fully vested this project, entitling it to develop.

Mr. Suddath stated that the applicant has constructed all infrastructure in accordance with County regulations, noting that there have been numerous inspections by the County, throughout the construction process. Mr. Suddath stated that the applicant is requesting a Final Plat approval in order to obtain building permits and sell lots within Phase 2.

Mr. Suddath stated that the utilities for this development will be provided by WHUD.

Mr. Suddath displayed an aerial photo of the property and the Current Master Plan with the Phase 2 section circled. Mr. Suddath then displayed the Phase 2 Preliminary Plat, which received approval in September 2022.

Next, Mr. Suddath explained that the PUD Concept Plan is an idea of what they are going to do, the Preliminary Plat is exactly what they are going to do, and the Final Plat is what they have done.

Displaying the Final Plat, Mr. Suddath highlighted the following regarding the Plat:  
Streets:

- Applicant has achieved installation of the proposed future Doversley Court & Stonehaven Way along with other associated infrastructure
- Curb/Gutter installed; base stone down, binder coat of asphalt down



- Roads constructed in accordance with County Standards and have been inspected by County Engineer during construction.
- As-Builts will be required prior to recording of Final Plat
- Surety will need to be posted for all remaining infrastructure prior to recording of Final Plat (final coat of asphalt etc)

On-Site Drainage:

- Curb and Gutter installed
- Several stormwater detention facilities were shown on the Preliminary Plat and Construction Plans for Phase 2. Constructed ponds are being utilized as sediment basins at this time.
- As-Builts will be required prior to recording of Final Plat
- Surety will need to be posted for all drainage improvements prior to recording of Final Plat
- Prior to final acceptance of ponds (after construction) another set of As-Builts will be required

Utilizes/Fire Protection:

- Water and Sewer service are to be provided by the White House Utility District.
- Water and Sewer lines and Fire Hydrants have been installed
- Fire Protection to be provided by the relevant volunteer fire department (New Shackle Volunteer Fire Department).

Next, Mr. Suddath displayed photos of the streets, fire hydrant and the curb and gutter constructed within the development. Mr. Suddath then displayed the Surety Letter from the County Engineer to the developer's representative. Mr. Suddath stated that a Stormwater Maintenance and Inspection Agreement has been recorded.

Mr. Suddath concluded his presentation with example motions before turning the meeting over to Mr. Bratton.

Mr. Bratton asked if there were any questions.

**Mr. Williams made a motion approve a Final Plat for Laurel Park, Phase 2, contingent upon the following conditions:**

- a) Applicant shall finalize construction and stabilization of all items as may be noted by County staff prior to signature of the Final Plat by the Planning Commission Secretary.**
- b) Applicant shall provide a surety in an amount of \$170,200 for all remaining improvements within the proposed public right of way, as well as for all drainage and other private improvements**
- c) Applicant shall maintain any outstanding bonds and/or letters of credit until such time as the County provides authorization to release them.**

**Mr. Klein seconded the motion.**

Mr. Klein asked if there was a letter of coverage from the Shackle Island Fire Department, confirming their commitment to service this development.

Mr. Suddath stated no, adding that this is a voluntary, informal agreement. Mr. Suddath explained that before he came to the County, New Shackle Island VFD was heavily involved in this process of rezoning this particular property, as the County decided to require that PUD development HOAs make annual donations to the VFD.

Mr. Klein asked for confirmation that we do not require a written commitment from the Volunteer Fire Departments.

Mr. Suddath confirmed. Mr. Suddath stated that this property is within the New Shackle Island VFD service area, noting that they would do their best to respond to an emergency. However, it is out of the County's control, added Mr. Suddath.

**At this time, a vote was taken on the motion.**

**The motion was approved 4:1 with Mrs. Miller opposing.**

Mr. Bratton turned the floor over to Mr. Suddath.

#### **6. SUMMARY OF ADMINISTRATIVE APPROVALS, APRIL 13, 2023 - PRESENT:**

- A. Devonna Hesson Property, Minor Plat
- B. 1301 Fowler Ford Road, Minor Plat
- C. Leland Steven Proffitt, Minor Plat
- D. Resub of Lot 1 of Charles Lee Property, Minor Plat
- E. Robert & Gail Jenkins Property, Minor Plat
- F. Sammy's Place, Minor Plat
- G. Maury Opposum Subdivision, Minor Plat
- H. 240 George Durham Road Property, Minor Plat
- I. Annie's Acre, Minor Plat
- J. Emerald Acres Subdivision , Phase 3 & 4, Lot 60, Plat Amendment
- K. Will Henry Bratton Place, Minor Plat

Mr. Suddath presented the above list of administrative approvals and stated that he will be out of the office Friday-Tuesday for a family funeral.

#### **7. DIRECTOR'S UPDATE**

None.

#### **8. ADJOURNMENT**

**There being no further business before the Planning Commission, Mr. Klein made a motion to adjourn, seconded by Mrs. Miller.**

**The meeting was adjourned unanimously at 6:24 pm.**

APPROVED BY Luan Brack DATE 6/27/2023  
(Chairman)

[Signature] DATE 6/28/2023  
(Secretary of the Planning Commission)